

Hearing Attendance:
Instructions:

The Confirmation Hearing will be held in person before the Honorable Martin Glenn, Chief United States Bankruptcy Judge, in the United States Bankruptcy Court for the Southern District of New York, in Courtroom No. 523, located at One Bowling Green, New York, New York 10004-1408.

With the permission of the Court, only parties in interest, their attorneys, and witnesses may attend evidentiary hearings by Zoom. Any person or entity that is permitted to attend the hearing by Zoom must certify that they are appearing in a permitted capacity by registering their appearance in the Electronic Appearance portal located on the Court's website at: <http://www.nysb.uscourts.gov/ecourt-appearances>.

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No testimony is expected on October 2, 2023, when the parties will deliver opening statements. With the permission of the Court, the public, including members of the media, may dial-in to listen to opening statements remotely using the audio platform made available by the Court. Any person or entity that is permitted to dial-in to the hearing by using the audio platform must register their appearance in the Electronic Appearance portal located on the Court's website at: <http://www.nysb.uscourts.gov/ecourt-appearances>. Appearances must be entered no later than **4:00 p.m., prevailing Eastern Time, the business day before the Confirmation Hearing (i.e., on September 29, 2023).**

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All other Confirmation Hearing dates are expected to be evidentiary hearings unless other notified. The public, including members of the media, may only attend evidentiary hearings in the courthouse, not remotely. Appearances must be entered no later than **4:00 p.m., prevailing Eastern Time, the business day before the Confirmation Hearing (i.e., on September 29, 2023) and each business day before the additional Confirmation Hearing dates.**

This change in practice reflects the policies of the Judicial Conference of the United States that became effective on September 22, 2023.

Copies of Motions:

A copy of each pleading may be obtained free of charge by visiting the website of Stretto at <https://cases.stretto.com/Celsius>. You may also obtain copies of any pleadings by visiting the Court's website at <http://www.nysb.uscourts.gov> in accordance with the procedures and fees set forth therein.

I. Contested Matter.

1. **Confirmation Hearing.** Modified Joint Chapter 11 Plan of Reorganization of Celsius Network LLC and Its Debtor Affiliates [Docket No. 3577].

Objection Deadline: September 22, 2023, at 4:00 p.m. (prevailing Eastern Time).
The objection deadline for the U.S. Trustee was extended to
September 24, 2023, at 12:00 p.m. (prevailing Eastern Time).

Responses Received:

- (1) Letter Objection by Eric Cassidy [Docket No. 3340].
- (2) Letter Objection by Elizabeth Bohon [Docket No. 3369].
- (3) Letter Objection by Travis Keeney [Docket No. 3389].
- (4) Limited Objection to Debtors' Plan Filed by Johan Bronge [Docket No. 3511].
- (5) Limited Objection and Reservation of Rights of the U.S. Securities and Exchange Commission to Debtors' Chapter 11 Plan [Docket No. 3522].
- (6) Reservation of Rights of New Jersey Bureau of Securities [Docket No. 3524].
- (7) Objection of Pharos Fund SP and Pharos USD Fund SP of Pharos Master SPC to Confirmation of the Joint Chapter 11 Plan of Reorganization of Celsius Network LLC and its Debtor Affiliates [Docket No. 3527].
- (8) Objection of Harrison Schoenau to Confirmation Insofar as it Pertains to Debtors' Requests for Approval of Alternative Dispute Resolution Procedures [Docket No. 3529].
- (9) Limited Objection, Reservation of Rights and Joinder of 168 Trading Limited in Response to (A) Notice of (I) Executory Contracts and Unexpired Leases to be Rejected by the Debtors Pursuant to the Plan and (II) Related Procedures in Connection Therewith; And (B) Joint Chapter 11 Plan of Reorganization of Celsius Network LLC and its Debtor Affiliates [Docket No. 3531].
- (10) Otis Davis' Limited Objection to the Debtors' Entry for an Order (I) Approving the Settlement of CEL Token at \$0.25 for the Purpose of Confirming the Debtors' Plan of Reorganization (II) Granting Related Relief [Docket No. 3532].
- (11) Joinder to Motion for Repayment of Loans and Return of Collateral Filed by Michael D. Windom [Docket No. 3533].

- (12) Reservation of Rights of Core Scientific, Inc. and Core Scientific Operating Company Regarding (I) Voting Deadline and (II) Plan Confirmation Objection Deadline for Joint Chapter 11 Plan of Reorganization of Celsius Network LLC and its Debtor Affiliates [Docket No. 3536].
- (13) Letter to Judge Glenn re Loan Agreement Filed by James Johantgen [Docket No. 3538].
- (14) Koala 2 LLC's Limited Objection to Confirmation of the Joint Chapter 11 Plan of Celsius Network LLC and its Debtor Affiliates [Docket No. 3539].
- (15) Joinder to Limited Objection to Debtors' Plan Filed by Caroline Abruzese [Docket No. 3540].
- (16) Joinder to Limited Objection to Debtors' Plan Filed by Peter Truss [Docket No. 3541].
- (17) Víctor Ubierna de Las Heras Objection to Confirmation of the Chapter 11 Plan [Docket No. 3542].
- (18) Joinder to Objection to Confirmation of Plan Filed by Benjamin Dame [Docket No. 3543].
- (19) Securities Plaintiffs' Limited Objection to Confirmation of the Joint Chapter 11 Plan of Reorganization of Celsius Network LLC and its Debtor Affiliates [Docket No. 3544].
- (20) Letter re Support of Orderly Wind Down and to Allow Retail Borrowers to Fulfill Loan Contracts Filed by Michael D. Windom [Docket No. 3546].
- (21) Objection to Plan Confirmation Filed by David Schneider [Docket No. 3547].
- (22) Limited Objection and Reservation of Rights of Rick Phillips to Debtors' Chapter 11 Plan [Docket No. 3548].
- (23) Objection and Reservation of Rights of the United States Trustee to the Joint Chapter 11 Plan of Reorganization of Celsius Network, LLC and its Debtor Affiliates [Docket No. 3551].
- (24) Limited Objection and Reservation of Rights of Rick Phillips to Debtors' Chapter 11 Plan [Docket No. 3557].
- (25) Objection to Approval of the Celsius Bankruptcy Plan Filed by Elizabeth Bohon [Docket No. 3558].

- (26) Letter to Judge Glenn re Joinder to Objection to Confirmation by Michael Windom [Docket No. 3616].³
- (27) **Affidavit in Support of Objections [Docket No. 3620].**
- (28) **Johan Bronge's Response to Debtors' Memorandum of Law in Support of Confirmation of the Joint Chapter 11 Plan of Reorganization of Celsius Network LLC and its Debtor Affiliates [Docket No. 3641].**
- (29) **Corrected Supplemental Affidavit of Otis Davis in Support of the Motion and in Opposition to the Max Galka "Expert" Report and its Findings [Docket No. 3639].**

Related Documents:

Supportive Briefing and Presentations:

- (1) Debtors' Brief in Support of CEL Token Settlement [Docket No. 3431].
- (2) Brief of the Official Committee of Unsecured Creditors Regarding Legal Issues with Respect to the Treatment of CEL Token Under the Debtors' Plan of Reorganization [Docket No. 3434].
- (3) Debtors' Memorandum of Law in Support of Confirmation of the Joint Chapter 11 Plan of Reorganization of Celsius Network LLC and Its Debtor Affiliates and Omnibus Reply to Objections Thereto [Docket No. 3604].
- (4) The Official Committee of Unsecured Creditors' (I) Joinder to the Debtors' Confirmation Brief and (II) Statement in Support of Confirmation of the Debtors' Joint Chapter 11 Plan of Reorganization [Docket No. 3605].
- (5) Notice of Filing of Revised Table of Authorities of the Debtors' Memorandum of Law in Support of Confirmation of the Joint Chapter 11 Plan of Reorganization of Celsius Network LLC and Its Debtor Affiliates [Docket No. 3609].
- (6) **Notice of Filing of Debtors' Confirmation Hearing Presentation [Docket No. 3630].**
- (7) **Official Committee of Unsecured Creditors' Confirmation Hearing Presentation [Docket No. 3632].**

³ This pleading was late-filed after the objection deadline of September 22, 2023, at 4:00 p.m. (prevailing Eastern Time).

Plan Supplement:

- (1) Notice of Filing of Plan Supplement [Docket No. 3115].
- (2) Second Notice of Filing of Plan Supplement [Docket No. 3273].
- (3) Third Notice of Filing of Plan Supplement [Docket No. 3444].
- (4) Fourth Notice of Filing of Plan Supplement [Docket No. 3483].
- (5) Fifth Notice of Filing of Plan Supplement [Docket No. 3550].
- (6) Sixth Notice of Filing of Plan Supplement [Docket No. 3583].

Procedural Filings:

- (1) Order (I) Approving the Adequacy of the Debtors' Disclosure Statement, (II) Approving the Solicitation and Voting Procedures With Respect to Confirmation of the Debtors' Joint Plan of Reorganization, (III) Approving the Form of Ballots and Notices in Connection Therewith, (IV) Scheduling Certain Dates With Respect Thereto, (V) Authorizing and Approving Reimbursement of Certain of the Plan Sponsor's Fees and Expenses, and (VI) Granting Related Relief [Docket No. 3337].
- (2) Notice of Discovery Schedule for Confirmation Hearing [Docket No. 3356].⁴
- (3) Affidavit of Publication [Docket No. 3367].
- (4) Affidavit of Publication [Docket No. 3368].
- (5) The Official Committee of Unsecured Creditors' *Ex Parte* Motion to Redact and File Under Seal Certain Personally Identifiable Information Submitted in Connection with the Committee's Brief Regarding Legal Issues with Respect to the Treatment of CEL Token Under the Debtors' Plan of Reorganization [Docket No. 3436].
- (6) Order Establishing Case Management Procedures for the Confirmation Hearing [Docket No. 3478].
- (7) Letter Request re Clarification to Confirmation Case Management Procedures [Docket No. 3489].
- (8) Affidavit of Publication [Docket No. 3507].

⁴ This schedule was subsequently revised [Docket Nos. 3360, 3405], but none of such revisions affect the general confirmation timeline.

- (9) Order Clarifying Case Management Procedures for the Confirmation Hearing (Modification #1) [Docket No. 3509].
- (10) Letter Request re Additions or Modifications to Confirmation Hearing Procedures [Docket No. 3520].
- (11) Memorandum Endorsed Order Granting Letter Request re Additions or Modifications to Confirmation Hearing Procedures [Docket No. 3523].
- (12) Debtors' *Ex Parte* Motion for Entry of an Order Authorizing the Debtors to Exceed the Page Limit Requirement for the Debtors' Memorandum of Law in Support of Confirmation of the Joint Chapter 11 Plan of Reorganization of Celsius Network LLC and its Debtor Affiliates and Omnibus Reply to Objections Thereto [Docket No. 3554].
- (13) Order Granting the Debtors' *Ex Parte* Motion for Entry of an Order Authorizing the Debtors to Exceed the Page Limit Requirement for the Debtors' Memorandum of Law in Support of Confirmation of the Joint Chapter 11 Plan of Reorganization of Celsius Network LLC and its Debtor Affiliates and Omnibus Reply to Objections Thereto [Docket No. 3559].
- (14) Letter Objection to Request for Additions or Modifications to Confirmation Hearing Procedures [Docket No. 3562].
- (15) Letter Request re Opening Statement of Consumer Privacy Ombudsman [Docket No. 3589].
- (16) Debtors' Witness List and Exhibit List for Matters Set for Hearing October 2, 2023 [Docket No. 3593].
- (17) Letter Request re Opening Statement by the Debtors [Docket No. 3594].
- (18) Letter Request re Opening Statement by Counsel to the Ad Hoc Borrowers [Docket No. 3596].
- (19) Letter Request re Opening Statement by Counsel to the Ad Hoc Group of Withhold Accounts Holders and Other Transferees [Docket No. 3597].
- (20) Affidavit of Publication [Docket No. 3598].
- (21) Notice of Filing of Proposed Findings of Fact, Conclusions of Law, and Order Confirming the Modified Joint Chapter 11 Plan of Celsius Network LLC and Its Debtor Affiliates [Docket No. 3606].
- (22) Order Granting Requests to Make Opening Statements, Demonstratives and Handling of Exhibits [Docket No. 3611].

- (23) Corrected Order Granting Requests to Make Opening Statements, Demonstratives and Handling of Exhibits [Docket No. 3612].
- (24) **Letter Request re Opening Statement by Richard Phillips [Docket No. 3622].**
- (25) **Debtors' Motion for Entry of an Order Authorizing the Debtors to Redact and File Under Seal Certain Confidential Information [Docket No. 3635].**
- (26) **Memorandum Endorsed Order Denying Letter Request for Opening Statement by Richard Phillips [Docket No. 3636].**
- (27) **Debtors' Amended Motion for Entry of an Order Authorizing the Debtors to Redact and File Under Seal Certain Confidential Information [Docket No. 3644].**

Potential Evidence in Support of Confirmation:

- (1) Declaration of Aaron Colodny in Support of the Brief of the Official Committee of Unsecured Creditors Regarding Legal Issues with Respect to the Treatment of CEL Token Under the Debtors' Plan of Reorganization [Docket No. 3433].
- (2) Declaration of Christopher Ferraro, Interim Chief Executive Officer, Chief Restructuring Officer, and Chief Financial Officer of the Debtors, in Support of the Proposed CEL Token Settlement [Docket No. 3435].
- (3) Declaration of Brian Karpuk Regarding the Solicitation and Tabulation of Votes on the Joint Chapter 11 Plan of Reorganization of Celsius Network LLC and Its Debtor Affiliates [Docket No. 3560].
- (4) Amended Declaration of Brian Karpuk Regarding the Solicitation and Tabulation of Votes on the Joint Chapter 11 Plan of Reorganization of Celsius Network LLC and its Debtor Affiliates [Docket No. 3574].
- (5) Official Committee of Unsecured Creditors' Initial Disclosure of Fact and Expert Witnesses for Confirmation Hearing [Docket No. 3578].
- (6) Declaration of Maxwell Galka on Behalf of the Official Committee of Unsecured Creditors in Support of Confirmation of the Joint Chapter 11 Plan of Reorganization of Celsius Network, LLC and its Debtor Affiliates [Docket No. 3580].
- (7) Declaration of Christopher Ferraro, Interim Chief Executive Officer, Chief Restructuring Officer, and Chief Financial Officer of the Debtors, in Support of Confirmation of the Joint Chapter 11 Plan of Reorganization of Celsius Network LLC and its Debtor Affiliates [Docket No. 3581].

- (8) Declaration of Robert Campagna in Support of Confirmation of the Joint Chapter 11 Plan of Reorganization of Celsius Network LLC and its Debtor Affiliates [Docket No. 3582].
- (9) Declaration of Mark Robinson in Support of Confirmation of the Joint Chapter 11 Plan of Reorganization of Celsius Network LLC and its Debtor Affiliates [Docket No. 3584].
- (10) Declaration of Allison Hoeinghaus in Support of Confirmation of the Joint Chapter 11 Plan of Reorganization of Celsius Network LLC and its Debtor Affiliates [Docket No. 3586].
- (11) Official Committee of Unsecured Creditors' Confirmation Hearing Exhibit List [Docket No. 3587].
- (12) Declaration Of Joel E. Cohen in Support of Confirmation of the Joint Chapter 11 Plan of Reorganization of Celsius Network LLC and its Debtor Affiliates [Docket No. 3588].
- (13) Declaration of Steven Kokinos in Support of Confirmation of the Joint Chapter 11 Plan of Reorganization of Celsius Network LLC and its Debtor Affiliates [Docket No. 3591].
- (14) Declaration of Ryan Kielty in Support of Confirmation of the Joint Chapter 11 Plan of Reorganization of Celsius Network LLC and its Debtor Affiliates [Docket No. 3592].
- (15) Debtors' Witness List and Exhibit List for Matters Set for Hearing October 2, 2023 [Docket No. 3593].
- (16) Notice Regarding Official Committee of Unsecured Creditors' Confirmation Hearing Exhibits [Docket No. 3619].

Prior Versions of the Plan and Disclosure Statement:

- (1) Joint Chapter 11 Plan of Reorganization of Celsius Network LLC and its Debtor Affiliates [Docket No. 2358].
- (2) Notice of Filing of Revised Joint Chapter 11 Plan of Reorganization of Celsius Network LLC and its Debtor Affiliates [Docket No. 2807].
- (3) Disclosure Statement for the Joint Chapter 11 Plan of Reorganization of Celsius Network LLC and its Debtor Affiliates [Docket No. 2902].
- (4) Second Notice of Filing of Revised Joint Chapter 11 Plan of Reorganization of Celsius Network LLC and its Debtor Affiliates [Docket No. 3116].

- (5) Notice of Filing of Revised Disclosure Statement for the Joint Chapter 11 Plan of Reorganization of Celsius Network LLC and its Debtor Affiliates [Docket No. 3117].
- (6) Third Notice of Filing of Revised Joint Chapter 11 Plan of Reorganization of Celsius Network LLC and its Debtor Affiliates [Docket No. 3222].
- (7) Second Notice of Filing of Revised Disclosure Statement for the Joint Chapter 11 Plan of Reorganization of Celsius Network LLC and its Debtor Affiliates [Docket No. 3223].
- (8) Fourth Notice of Filing of Revised Joint Chapter 11 Plan of Reorganization of Celsius Network LLC and its Debtor Affiliates [Docket No. 3319].
- (9) Third Notice of Filing of Revised Disclosure Statement for the Joint Chapter 11 Plan of Reorganization of Celsius Network LLC and its Debtor Affiliates [Docket No. 3320].
- (10) Fourth Notice of Filing of Revised Disclosure Statement for the Joint Chapter 11 Plan of Reorganization of Celsius Network LLC and its Debtor Affiliates [Docket No. 3332].

Status: The Confirmation Hearing is going forward on Monday, October 2, 2023, at 2:00 p.m. (prevailing Eastern Time) as a nonevidentiary hearing where the parties will present opening statements. The Confirmation Hearing is expected to continue on Tuesday, October 3, 2023, at 9:00 a.m. (prevailing Eastern Time) and several days thereafter as an evidentiary hearing.

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New York, New York
Dated: October 1, 2023

/s/ Joshua A. Sussberg

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